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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARTIN CONTRERAS,

Defendant.

CASE NO. 1:21-CR-00318 JLT

[AMENDED] STIPULATION VACATING
STATUS CONFERENCE, SETTING CHANGE OF
PLEA HEARING, AND REGARDING
EXCLUDABLE TIME PERIODS UNDER SPEEDY
TRIAL ACT; ORDER

DATE: May 17, 2023
TIME: 2:00 p.m.
COURT: Hon. Sheila K. Oberto

This case is set for a status conference on May 17, 2023. The parties agree and stipulate to vacate the status conference and set a change of plea proceeding for May 22, 2023. This is the first date on which defense will be prepared to appear and proceed with a change of plea hearing.

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a status conference on May 17, 2023.
2. By this stipulation, defendant now moves to vacate the status conference and set a change of plea proceeding for hearing for **May 22, 2023, at 10:00 a.m. before District Judge Jennifer L. Thurston** and to exclude time between May 17, 2023, and May 22, 2023, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The parties anticipate being in a position to proceed with a change of plea on that

1 date. This is the first date on which defense will be prepared to appear and proceed with a
2 change of plea.

3 b) Counsel for defendant believes that failure to grant the above-requested
4 continuance would deny him the reasonable time necessary for effective preparation, taking into
5 account the exercise of due diligence.

6 c) The government does not object to the continuance.

7 d) Based on the above-stated findings, the ends of justice served by continuing the
8 case as requested outweigh the interest of the public and the defendant in an indictment or trial
9 within the original dates prescribed by the Speedy Trial Act.

10 e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
11 et seq., within which an indictment must be filed and within which a trial must commence, the
12 time period of May 17, 2023 to May 22, 2023, inclusive, is deemed excludable pursuant to 18
13 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by
14 the Court at defendant's request on the basis of the Court's finding that the ends of justice served
15 by taking such action outweigh the best interest of the public and the defendant in a speedy
16 indictment/trial.

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28 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the

Speedy Trial Act dictate that additional time periods are excludable from the period within which an indictment must be filed and a trial must commence.

IT IS SO STIPULATED.

Dated: April 25, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ KIMBERLY A. SANCHEZ
KIMBERLY A. SANCHEZ
Assistant United States Attorney

Dated: April 25, 2023

/s/ STEVEN L. CRAWFORD
STEVEN L. CRAWFORD
Counsel for Defendant
MARTIN CONTRERAS

ORDER

IT IS SO ORDERED.

DATED: 4/27/2023

Sheila K. Oberto
THE HONORABLE SHEILA K. OBETO
UNITED STATES MAGISTRATE JUDGE